

## REMARKS

In response to the Office Action dated May 19, 2006, Applicants respectfully request reconsideration based on the following amendments and remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1-25 are pending. Claims 1-25 have been rejected. Claims 1, 16, 21 and 24 are independent claims from which claims 2-15, 17-20, 22-23 and 25 respectively depend. While Applicants do not agree with the rejections or arguments presented, in the interests of advancing prosecution Applicants have amended claims 1, 16, 21 and 24, solely to clarify the subject matter of Applicants' claimed invention. No new matter has been added. Support for the amendments can be found in the application as originally filed on page 2, lines 11-22, page 3, line 25 to page 4, line 2, FIG. 3, and elsewhere.

Applicants thank the Examiner for the Interview conducted June 20, 2006. An Interview Summary is included herewith.

### §103(a) Rejections

Claims 1-14, 16-20, 24 and 25 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Austin (U.S. Pat No. 6,701,315 B1) in view of Stefik (U.S. Patent No. 5,715,403) and further in view of Martin (U.S. Patent No. 5,618,232).

While Applicants respectfully maintain that Applicants claims are patentable because Austin, Stefik and Martin are improperly combined and furthermore, that even if properly combined Austin, Stefik and Martin, alone or in combination do not disclose or suggest all the features of Applicants' claims, Applicants have reluctantly agreed to amend the claims, as exemplified by amended claim 1. Claim 1, as amended recites:

A method for providing archived material comprising:  
retrieving a first instance of archived material comprising a plurality of items, the plurality of items comprising at least one requested item and at least one accompanying, non-requested item; and  
determining that the at least one accompanying, non-requested item of the plurality of items is substitutable;  
selecting a new item according to at least one rule, *the at least one rule comprising selecting the new item based on a geographical location associated with a requestor of the archived material; and*  
*generating a second instance of archived material by replacing the at least one substitutable item in the first instance with the new item, wherein the replaced substitutable item comprises a portion less than all of the second instance.*

(emphasis added).

Austin is directed to a system and method for delivering information such as printed material to a user in one or more preferred delivery media, based on a user profile. Austin does not disclose or suggest at least “selecting a new item according to at least one rule, the at least one rule comprising selecting the new item based on a geographical location associated with a requestor of the archived material” – the type of delivery media is unrelated to geographical location. Stefik is directed to a system for controlling the use and distribution of digital works. A digital work is accompanied by usage rights that determine how the work can be used and/or distributed. Digital rights are unrelated to geographical location. Martin is directed to a dual mode gambling/gaming device that is configurable as a gaming device or as a gambling device, depending on location. (Gambling is illegal within three miles of shore in some jurisdictions.) Once outside the area in which gambling is illegal, the device can switch from “gaming mode” to “gambling mode”. Martin does not disclose or suggest at least the italicized features of Applicants’ claim 1. In Martin, the material presented to the user is wholly substituted according to the geographic rule, whereas in Applicants’ claim 1, only the substitutable item (a portion of the whole) is replaced according to the geographic rule. Independent claims 16 and 24 from which claims 17-20 and claim 25 respectively depend include analogous features. Therefore, as neither Austin nor Stefik nor Martin disclose or suggest all the features of Applicants’ claims, Applicants respectfully submit that independent claims 1, 16, and 24 and their dependent claims are patentable and request the withdrawal of the rejections of these claims.

Claims 15, and 21-23 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Austin, Stefik and Martin and further in view of Fields et al. (U.S. Patent No. 6,704,797 B1). Applicants respectfully submit that claim 15 is allowable because Austin, Stefik, Martin and Fields do not disclose or suggest all the features of Applicants claim 1, from which claim 15 depends, for the reasons presented below with respect to claim 21. Claims 1 and 21 include analogous features.

Applicants respectfully submit that claim 21 and the claims that depend therefrom are patentable because Austin, Stefik, Martin and Fields do not disclose or suggest all the features of Applicants claim 21. Claim 21 recites:

A computer-readable medium having stored thereon a data structure associated with an item, the data structure comprising:

a first data field *of the item, the item comprising a portion that is less than all of a document that appears on a page, the first data field* comprising category data of the item, the item comprising a non-requested item accompanying a requested item, wherein the category data describes a type of item, the type of item comprising one of: text, an image, and an advertisement;

a second data field comprising geometric data of the item, wherein the geometric data describes one of a physical location of the item within a page and the size of an item; and

a third data field comprising relevancy data, wherein the relevancy data comprises *a geographical location associated with a requestor of the item.*

As discussed above, Austin is directed to a system and method for delivering information to a user in one or more preferred delivery media unrelated to geographical location. Stefik is directed to a system for controlling the use and distribution of digital works. A digital work is accompanied by usage rights that determine how the work can be used and/or distributed. Martin is directed to a dual mode gambling/gaming device that is configurable as a gaming device or as a gambling device, depending on location. Once outside the area in which gambling is illegal, the device can switch from “gaming mode” to “gambling mode”. Austin, Stefik and Martin, alone or in combination do not disclose or suggest at least the italicized features of Applicants’ claim 21. In Martin, the material presented to the user is wholly substituted according to the geographic rule, whereas in Applicants’ claim 1, only the substitutable item is replaced according to the geographic rule.

Fields does not cure the deficiencies of Austin, Stefik and Martin. Fields is directed to a system and method for protecting images, resulting in the selective distribution of one of multiple versions of an original image according to a set of rules unrelated to geographical location. Fields does not disclose or suggest at least the italicized features of Applicants’ claim 21. Hence, Applicants respectfully submit that claim 21 and its dependent claims are patentable and request the withdrawal of the rejections of these claims.

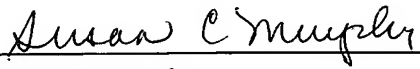
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PATENT  
REPLY FILED UNDER EXPEDITED  
PROCEDURE PURSUANT TO  
37 CFR § 1.116

Conclusion

In view of the foregoing remarks, Applicants respectfully submit that the present Application is in condition for allowance. Withdrawal of the rejections of the claims and an early allowance is earnestly solicited.

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